

EXHIBIT B

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KITCHEN WINNERS NY INC.,

PLAINTIFF,

-against-

CIVIL Action No.:
22-cv-05276-PAE

ROCK FINTEK LLC,

DEFENDANT.

ROCK FINTEK LLC,

COUNTERCLAIM and THIRD-PARTY PLAINTIFF,

-against-

KITCHEN WINNERS NY INC.,

COUNTERCLAIM DEFENDANT,

and

ADORAMA INC., HERSHEY WEINER, JOSEPH
MENDLOWITZ, JNS CAPITAL HOLDINGS LLC and
JOEL STERN,

THIRD-PARTY DEFENDANTS.

DATE: August 29, 2023

TIME: 10:17 a.m.

VIDEOCONFERENCE DEPOSITION of
ROCK FINTEK LLC, by BRAD GILLING

RAPID REPORTING LLC
254 South Main Street, Suite 216
New City, New York 10956
(718) 310-0704

GILLING

A Yeah --

THE REPORTER: I didn't hear
the answer.

A Do I have documents?

Q She didn't get your answer.

Do you have any documents in
which Mr. Bannon claims to be an employee
of Kitchen Winners?

A Just verbal.

Q Did Mr. Bannon verbally tell
you he was an employee of Adorama?

A Yeah. Mendel Bannon held
himself out as a representative of Kitchen
Winners and associated with Adorama.

Q Taking a look at paragraph 24.
It says that: Accordingly, Kitchen Winners
is a mere shell set up by Adorama in an
ineffective effort to shield Adorama and
its principals from liability from
fraudulent PPE transactions.

Do you see where I am?

A Yes.

Q Again, do you have any
knowledge to support the assertion that

1 GILLING

2 Kitchen Winners is a mere shell set up by
3 Adorama?

4 MR. RAKHUNOV: Objection.

5 A No.

6 Q Paragraph 25, it says: In
7 early 2021, Rock Fintek was introduced to
8 Weiner, Mendlowitz, and other
9 representatives of Adorama and Kitchen
10 Winners, including their employee and
11 agent, Mendel Bannon. Do you see where I
12 am?

13 A Yes.

14 Q Do you know what this paragraph
15 is referring to when it says that Rock
16 Fintek was introduced to Mr. Mendlowitz?

17 A Yeah. It would have been when
18 we were doing the contract and needed the
19 actual principal to sign, Adorama.

20 Q Who did the introducing?

21 A I think Mendel did the
22 introducing.

23 Q Was this an in-person meeting?

24 A I don't know, but Tommy Kato
25 had an in-person meeting with Mendel.

1 GILLING

2 gloves to Rock Fintek?

3 A Absolutely.

4 Q And who was the individual that
5 told you that?

6 A Both Hershey Weiner and Mendel.
7 And they were acting on behalf of Kitchen
8 Winners in conjunction with Adorama. That
9 was all part of -- that was all part of the
10 structure of the deal.

11 Q When you say Mendel, you're
12 referring to Mendel Bannon?

13 A Yes. Mendel Bannon, yes.

14 Q Did Hershey Weiner tell you in
15 writing that Stern or JNS was acting on
16 Kitchen Winners' behalf as a reseller of
17 gloves?

18 MR. RAKHUNOV: Objection.

19 A I don't -- I don't have
20 knowledge of that, but it's possible in an
21 e-mail or a text message.

22 Q Did Mendel Bannon tell you in
23 writing that Kitchen -- that Stern or JNS
24 was acting as a reseller of gloves on
25 behalf of Kitchen Winners?